

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

U.S. DISTRICT COURT
WESTERN DIST. ARKANSAS
FILED

SHERRY AMERSON AND RICHARD AMERSON
PLAINTIFFS

v.

CIVIL ACTION NO. 15-1020

APR 09 2015

CHRIS R. JOHNSON, Clerk
By

Deputy Clerk

GEORGIA-PACIFIC LLC;
GEORGIA-PACIFIC CORPORATION; and
JOHN DOES A-Z
DEFENDANTS

NOTICE OF REMOVAL

TO: Michael D. Ray
The Ray Law Firm, P.A.
909 Main St.
P.O. Box 1123
Crossett, AR 71635
Fax: (870) 364-6503
ATTORNEY FOR PLAINTIFFS

Vickie Stell
205 East Jefferson
Hamburg, Arkansas 71646

ASHLEY COUNTY CIRCUIT CLERK

PLEASE TAKE NOTICE that Georgia-Pacific LLC (“GP”) (also incorrectly identified as Georgia-Pacific Corporation), a Defendant in the above-styled and numbered cause, has filed this Notice of Removal, as required by law and the rules of Court, for the removal of that certain cause entitled **Sherry Amerson and Richard Amerson v. Georgia-Pacific LLC; Georgia-Pacific Corporation; and John Does A-Z**, bearing number CV-2015-042-3 on the docket of the Circuit Court of Ashley County, Arkansas, from that Court to the United States District Court for the Western District of Arkansas, El Dorado Division.

You will, pursuant to said Removal, proceed no further with this matter in the Circuit Court of Ashley County, Arkansas. Your attention is specifically directed to **28 U.S.C. § 1441 et seq.**

GP appearing specially and for the sole and only purpose of effecting Removal to this Court, states the following as grounds for Removal:

1.

This Notice of Removal has been filed within the time period prescribed in **28 U.S.C. § 1446(b)**. Venue is proper in the El Dorado Division pursuant to **28 U.S.C. § 1441(a) and § 1446(a)**.

2.

GP is a Defendant in the previously identified civil action now pending in the Circuit Court of Ashley County, Arkansas. That Complaint by the Plaintiffs alleges negligence on the part of GP.

3.

Said Complaint was filed on March 2, 2015. GP was served with the Complaint on or about March 13, 2015.

4.

Copies of all process, pleadings, and orders served in this action are attached hereto.

5.

On information and belief, the Plaintiffs are a citizens and residents of Arkansas.

6.

Both at the time the Complaint was filed, and at the time of removal, Defendant, GP is a limited liability company organized and existing under the laws of the State of Delaware, with its

principal place of business in Georgia. GP has one member, Georgia-Pacific Holdings, LLC. Georgia-Pacific Holdings, LLC, is a limited liability company formed under the laws of Delaware with its principal place of business in Georgia. Georgia-Pacific Holdings, LLC, has one member, Georgia-Pacific Equity Holdings LLC. Georgia-Pacific Equity Holdings LLC, is a limited liability company formed under the laws of Delaware with its principal place of business in Georgia. At the time the Complaint was filed Georgia-Pacific Equity Holdings LLC, had one member, Koch Renewable Resources, LLC. Koch Renewable Resources, LLC, is a limited liability company formed under the laws of Delaware with its principal place of business in Kansas. Koch Renewable Resources, LLC, has one member, Koch Industries, Inc. Koch Industries, Inc., is a corporation formed under the laws of Kansas with its principal place of business in Kansas.

7.

The identity and citizenship of the other Defendants is unknown.

8.

The matter in controversy in said suit is, and at the time of commencement thereof was, and at all times since has been, a controversy between citizens of different states. There is, therefore, diversity of citizenship between the Plaintiffs and Defendants.

9.

On information and belief, the matter in controversy between the Plaintiffs and the Defendants, at the time of the commencement of said action and at the present time, exceeds the sum or value of Seventy-Five Thousand and No/100 Dollars (\$75,000.00), exclusive of interest and costs.

10.

For the foregoing reasons, this Court has jurisdiction of the subject matter pursuant to **28 U.S.C. § 1332.**

The Separate Defendant, Georgia-Pacific LLC, respectfully requests that this action be Removed.

Respectfully submitted,

Matthew J. Shepherd, P.A.
200 N. Jefferson Avenue, Suite 600
El Dorado, AR 71730
Phone: 870-862-2087
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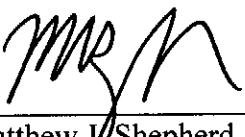
By:


Matthew J. Shepherd, #2001-148
John Thomas Shepherd #2013-167
Attorneys for Separate Defendant,
Georgia-Pacific LLC

CERTIFICATE OF SERVICE

I, Matthew J. Shepherd, hereby certify that on the 9th day of April, 2015, I faxed and mailed a true and correct copy of the above and foregoing document, postage prepaid, to:

Michael D. Ray
The Ray Law Firm, P.A.
909 Main St.
P.O. Box 1123
Crossett, AR 71635
Fax: (870) 364-6503
Attorney for Plaintiffs


Matthew J. Shepherd